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TRANSMITTAL		Filing Date	08/04/2003							
FORM			First Named Inventor Koeltprepa							
		Art Unit		1616						
(to be used for all correspondence after initial filing)		Examiner Name		Singh						
Total Number of Pages in This Submission		5	Attorney Docket Number			AXP-0003B				
ENCLOSURES (Check all that apply)										
Fee Trensmittel			Drawing(s)			After Allowance Communication to Appeal Communication to Board				
Fee Attached Amendment/Renky		Licensing-related Papers				of Appeals and Interferences Appeal Communication to TC				
After Final Aftidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority		Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Add Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD Remarks Fee authorization to be charged to depo			idress	(Appeal Notice, Brief, Reply Brief) Proprietary Information				
-	SIGNA	TURE OF	FAPPLICANT	ATTOR	NEY O	RAGE	NT			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Andry (orporation										
Signature della la										
Printed name David W Barman										
Date 09/22/2005 Reg. No. 47,225										
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the data shown below:	orrespondence is bo class mall in an em	eing facsimi relope addre	lle transmitted to the essed to: Commissi	USPTO (or deposit atents, P.	ed with th O. Box 1	he Uni 450, A	ted States Postal Service w Jexandria, VA 22313-1450 d	ith on	
Signature	SAI	1/3) 2							
Typed or printed name David W Barman						C	Date	09/22/2005		

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you regular to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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US Pat Ser No 10/634,321 Response filed on 9/22/2005

SEP 2 2 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kositprapa

Serial No.

10/634,321

Filed:

August 4, 2003

Art Unit:

1616

Attorney Docket No. AXP-0003B

Examiner:

Singh

For:

Pharmaceutical Formulation

CERTIFICATE UNDER 37 CFR 1.8(a)

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RESPONSE TO OFFICE ACTION

Mail Stop-Patent Application Commissioner of Patents PO Box 1450 Arlington VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed August 5, 2005 in the above-referenced patent application.

A petition for a one-month extension of time and authorization to charge a deposit account the petition fee accompanies this submission.

Applicant disagrees with the characterization that the species disclosed are patentably distinct. In order to expedite the prosecution of the subject application, Applicant will elect, with traverse, anti-depressants as the species to be prosecuted. The Action has also requested selection of a single pharmaceutical active ingredient and a single specific enteric coating component. Applicant believes this requirement to be for the purposes of

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searching and does not intend to limit the scope of invention to either a single active ingredient or a single enteric coating component. Applicant, at this time selects paroxetine as the active ingredient and methacrylate polymers as the single enteric coating component.

Applicant believes that the requirements of the instant Office Action have been met and examination of the application on the merits may to commence.

If the examiner believes a telephone interview would assist in the prosecution of this application, he is invited to call David Barman, who is agent of record at 954-382-7634.

Respectfully submitted,

David W. Barman Reg. No. 47,225 Andrx Corporation 8151 Peters Rd

Plantation FL 33324 Ph.: 954-382-7634 Fax: 954-382-7600 09/20/2005